

**MINUTES OF THE PUBLIC HEARING HELD BEFORE THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
DECEMBER 23, 2009**

A public hearing was held on Wednesday, December 23, 2009, in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana.

**Call to Order.** Presiding Officer Mayor William J. Schmitt called the hearing to order at 11:50 a.m.

**Roll Call.**

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prechtel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the hearing, a majority of the council members must be in attendance. All the council members were in attendance; therefore, there was a quorum for the public hearing.

**Purpose.** Mayor Schmitt said the purpose of the public hearing was to receive public input concerning the petition of Kenneth E. Heim, Rose Mehringer, and Maria Martinez to rezone property at 2408, 2402, and 2414 Newton Street from R-3 residential to B-3 business.

A notice concerning the hearing appeared in the Herald on December 5, 2009. A notice was also posted at city hall and faxed to the news media.

Mayor Schmitt said with respect to this mornings public hearing, we are hereby incorporating by reference into the record of this public hearing, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance and Subdivision Control Ordinance and Flood District and Flood Damage Prevention" and any and all Amendments thereto.

Realtor Andy Welsh representing all three owners of the property and the potential buyer, an insurance company, showed a map with the zoning classifications of the nearby property.

Council member Ambrose 'Butch' Schitter said rezoning the property will not affect anyone living there now. He also said there were no remonstrators at the plan commission meeting.

City Attorney Sandra Hemmerlein said if it ceases to be residential and goes business, one would have to get a variance to go back to residential.

Mayor Schmitt then asked for public comments. No comments were received.

A **motion** was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to close the public hearing. The motion carried 7-0 and the hearing closed at 11:56 a.m.

The minutes were hereby approved \_\_\_\_ with   X   without corrections of clarification this 20<sup>th</sup> day of January, 2010.

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**Mayor William J. Schmitt**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**

Margaret A. Kress, Recording Secretary